

ORDINANCE NO. _____, SERIES 2010

AN ORDINANCE CLOSING A PORTION OF CLAREMONT AVENUE, LOCATED NORTH OF FRANKFORT AVENUE, BEGINNING AT THE SOUTH LINE OF ARTERBURN AVENUE AND RUNNING SOUTH APPROXIMATELY 66 FEET TO ITS SOUTHERN INTERSECTION WITH FRANKFORT AVENUE, CONTAINING APPROXIMATELY 3,961 SQUARE FEET, AND BEING IN LOUISVILLE METRO, AND DECLARING THE ENACTMENT OF THIS ORDINANCE TO BE AN EMERGENCY (CASE NO. 13852).

SPONSORED BY: COUNCILMAN JON ACKERSON

WHEREAS, the Louisville Metro Planning Commission, as set forth in the minutes and records of Case No. 13852, has recommended to the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") that a portion of Claremont Avenue, located north of Frankfort Avenue, be closed, beginning at the south line of Arterburn Avenue and running south approximately 66 feet to its southern intersection with Frankfort Avenue, containing approximately 3,961 square feet, and being in Louisville Metro, be closed, as said closing is in compliance with the guidelines, principles, and objectives of the Comprehensive Plan; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission in Case No. 13852 and approves and accepts the recommendation of the Commission as set out in said minutes and records;

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: That a portion of Claremont Avenue, located north of Frankfort Avenue, be closed from the south line of Arterburn Avenue and running south approximately 66 feet to its southern intersection with Frankfort Avenue, said area of closure containing approximately 3,961 square feet, and being in Louisville Metro, subject to all existing easements of record and all existing utility easements or rights enjoyed by said utility companies as the result of being located in, on or over said right-of-way.

Section II: In recognition of the compelling need to close this section of right-of-way no later than June 1, 2010, to maintain a quiet zone along this section of Frankfort Avenue by reducing the number of ungated and non-signalized railroad crossings open to vehicular traffic, which will promote the public welfare by eliminating the need for trains to sound their horns at each intersection when passing through this area, which, as stated in the Planning Commission's record of this case, would result in a near-continuous sounding of horns by approximately thirty (30) trains per day over a distance of nearly two and one-half (2 ½) miles, and pursuant to Section 7.12 of the Rules of the Council, the enactment of this ordinance is deemed an emergency.

Section III: This Ordinance shall take effect upon passage and approval.

Kathleen J. Herron
Metro Council Clerk

Thomas L. Owen
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____